

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

REGULAR MEETING AGENDA – SEPTEMBER 25, 2013 - 7:30 P.M.

1. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was published in The Record and the Star Ledger issues of January 8, 2013, was posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

2. ROLL CALL

3. MAYORAL APPOINTMENTS (NON-SALARIED) TO THE FOLLOWING BOARDS/COMMISSIONS:

<u>OFFICE</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
ENVIRONMENTAL COMMISSION			
Alt. No. 2	_____	2 Years	12/31/14

4. PUBLIC HEARING AND ADOPTION OF THE FOLLOWING ORDINANCE @8:00 P.M. OR AS SOON THEREAFTER AS THE MATTER MAY BE HEARD:

The following Ordinance was introduced at the Regular Meeting held August 28, 2013 and was published in The Record on September 3, 2013 as stated in the Borough Clerk's affidavit of publication. Reprint of this Ordinance was posted on the Municipal Bulletin Board in accordance with statutory requirements and copies have been made available to the general public:

ORDINANCE NO. 2013:1150, "AN ORDINANCE AMENDING CHAPTER 87 OF THE CODE, BUSINESS AND RESIDENTIAL CERTIFICATES OF OCCUPANCY"

5a. VOTE ON CONSENT AGENDA ITEMS

RESOLUTIONS

6. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE REFUND CHECK IN THE AMOUNT OF \$523.40 TO NEVITSKY, AUDREY, FOR PROPERTY KNOWN AS BLOCK 1902, LOT 10.02, DUE TO REDUCTION IN ASSESSMENT RENDERED BY THE COUNTY TAX BOARD ON 6/28/13 (Received from Tax Collector 9/12/13)

7. RESOLUTION AUTHORIZING DEPUTY TREASURER TO ISSUE A REFUND CHECK IN THE AMOUNT OF \$16,691.14 AND ISSUE A RETURN OF PREMIUM FROM ESCROW IN THE AMOUNT OF \$46,000.00 TO US BANK C/F NJ SUNSHINE ST IV LLLP/BANK UNITED FOR THE REDEMPTION OF TAX SALE CERTIFICATE #13-00004 FOR PROPERTY LOCATED AT 98 PIERMONT ROAD, BLOCK 1806, LOT 29, SOLD AT THE MUNICIPAL TAX SALE HELD ON 4/18/13 FOR 2012 DELINQUENT TAXES (Received from Tax Collector 9/18/13)

8. RESOLUTION ENDORSING 2014 BERGEN COUNTY COMMUNITY DEVELOPMENT GRANT APPLICATION IN THE AMOUNT OF \$25,000.00 FOR SPECTRUM FOR LIVING GROUP HOMES INC. FOR SPECTRUM'S NORTHERN VALLEY RESPITE AND SOCIALIZATION PROGRAM IN THE BOROUGH OF CLOSTER (This Resolution does not obligate the financial resources of the municipality and is intended solely to expedite the expenditure of the CDBG Funds) (7. M.L. 9/12/13)

9. RESOLUTION AUTHORIZING EXECUTION OF CDBG CONTRACT #NV-CLSTR-03-13, BY THE MAYOR, IN THE AMOUNT OF \$10,000.00, FOR HANDICAPPED ACCESSIBLE DOORS BOROUGH HALL PROJECT FROM 7/1/13 to 6/30/14 (9. M.L. 9/12/13) (Received from Administrator 9/13/13)

10. *POSSIBLE* RESOLUTION AUTHORIZING REVISION AND RE-BIDDING OF CONTRACT FOR THE CELLULAR TOWER AND AUTHORIZING HOLD OVER STATUS FOR CURRENT LESSEE (Received from Borough Attorney 9/17/13)

11. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO RELEASE AND RETURN REMAINING ZONING BOARD OF ADJUSTMENT LEGAL ESCROW FEES IN THE AMOUNT OF \$543.00 TO APPLICANT: CHRISTOPHER CONSTANTINE DUE TO SATISFACTORY COMPLETION OF LEGAL SERVICES RENDERED FOR BLOCK 308 LOT 20, 53 BETHANY CIRCLE (Received from Deputy Treasurer 9/16/13)

12. RESOLUTION AUTHORIZING THE DEPUTY TREASURER TO RELEASE AND RETURN REMAINING PLANNING BOARD LEGAL/ENGINEERING ESCROW FEES IN THE AMOUNT OF \$3,313.57 TO APPLICANT: CLOSTER MARKET PLACE OPERATING DUE TO SATISFACTORY COMPLETION OF ALL REQUIRED IMPROVEMENTS FOR BLOCK 1607 LOT 1, 19 VERVALEN STREET (Received from Deputy Treasurer 9/18/13)

13. RESOLUTION MEMORIALIZING ACTION TAKEN AT THE REGULAR MEETING HELD 9/11/13 AUTHORIZING THE TOWN-WIDE GARAGE SALE ORGANIZED BY THE CLOSTER FOOD & ASSISTANCE BOARD AND WAIVING PERMIT FEES FOR PARTICIPANTS (Received from Borough Attorney 9/19/13)

14. RESOLUTION AUTHORIZING THE BOROUGH OF CLOSTER TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE BERGEN COUNTY AGGREGATE ENERGY PROCUREMENT COOPERATIVE PRICING SYSTEM (THE "BCPS") NJDCA (Received from Administrator 9/20/13 @ 9:18 a.m.)

CLOSTER MAYOR AND COUNCIL
 REGULAR MEETING AGENDA –SEPTEMBER 25, 2013 - 7:30 P.M.

5a. VOTE ON CONSENT AGENDA ITEMS (Continued)

MOTIONS

15. MOTION APPROVING THE FOLLOWING MINUTES (Distributed 9/20/13)
 NO ABSTENTIONS:

- a. REGULAR MEETING HELD 9/11/13
- b. WORK SESSION HELD 9/11/13

16. MOTION APPROVING APPOINTMENTS TO THE FOLLOWING BOARDS/COMMISSIONS:

<u>OFFICE</u>	<u>INCUMBENT</u>	<u>APPOINTEE</u>	<u>TERM</u>	<u>EXPIRATION</u>
BOROUGH HISTORIAN	<u>William Cahill</u> (non-acceptance)	_____	1 Year	12/31/13
IMPROVEMENT COMMISSION Member/HP Liaison	<u>Irene Stella</u> (resigned)	_____	2 years unexp. (Stella) to	12/31/13
Member	<u>Tina Stratton</u> (non-acceptance)	_____	2 Years	12/31/14
Member	<u>(Cherylin Clarke)</u> (resigned)	_____	2 Years unexp. (Clarke) to	12/31/13
Alt. No. 1	<u>Shiran Slutzky</u> (resigned)	_____	2 Years unexp. (Slutzky) to	12/31/13
Alt. No. 2	<u>Wilson Reimers</u> (non-acceptance)	_____	2 Years	12/31/14

17. MOTION APPROVING RAFFLES APPLICATION NO. 596 FOR TEMPLE BETH EL OF NORTHERN VALLEY TO CONDUCT ON-PREMISE CASINO NIGHT AT 221 SCHRAALENBURGH ROAD ON SATURDAY, 11/23/13, FROM 7:00 P.M. TO 11:30 P.M. (Completed Application filed and appropriate fees paid 9/17/13)

18. MOTION GRANTING APPROVAL FOR BOROUGH CLERK TO SIGN STATE OF NEW JERSEY, OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF LAW AND PUBLIC SAFETY, DIVISION OF ALCOHOLIC BEVERAGE CONTROL, APPLICATION FOR SPECIAL PERMIT FOR SOCIAL AFFAIR FOR THE CLOSTER ELKS, 148 RAILROAD AVENUE, CLOSTER, NJ 07624, TO DISPENSE WINE, DISTILLED SPIRITS AND MALT ALCOHOLIC BEVERAGES ON SATURDAY, 10/12/13, FROM 1:00 P.M. TO 11:00 P.M. (Completed application received 9/19/13)

19. MOTION APPROVING RAFFLES APPLICATION NO. 597 FOR CLOSTER ELKS LODGE #2304 TO CONDUCT ON-PREMISE 50/50 CASH RAFFLE ON SATURDAY, 1/25/14, AT 148 RAILROAD AVENUE, FROM 7:30 P.M. TO 11:00 P.M.; DRAWING TO BE HELD AT 10:45 P.M. (Completed Application filed and appropriate fees paid 9/19/13)

20. REPORTS

- a. CHIEF OF POLICE – AUGUST 2013 (Received 9/10/13)

5b. VOTE ON ITEMS REMOVED FROM THE CONSENT AGENDA

21. OPEN MEETING TO PUBLIC FOR ANY MATTER, PER N.J.S.A. 10:4-12 (a)
 (Subject to 5-minute limit per By-Laws General Rule No.11)

22. ANY OTHER MATTER WHICH MAY COME BEFORE THE GOVERNING BODY

23. ADJOURNMENT

ALL BUSINESS WILL TERMINATE AT 11:00 P.M.

MAYOR AND COUNCIL
BOROUGH OF CLOSTER

WORK SESSION AGENDA – SEPTEMBER 25, 2013 - 7:30 P.M.

1. PLEDGE OF ALLEGIANCE
2. PROVISIONS OF OPEN PUBLIC MEETINGS ACT STATEMENT

This meeting is called pursuant to the provisions of the Open Public Meetings Act of the State of New Jersey, was included in the Notice of Meetings which was published in The Record and the Star Ledger on January 8, 2013, was posted on the Municipal Clerk's bulletin board and has remained continuously posted as the required notices under the Statute. In addition, a copy of the notice is and has been available to the public and is on file in the office of the Municipal Clerk.

3. ROLL CALL
4. REVIEW AND DISCUSSION OF COMMUNICATION ITEMS
 - a. MAIL LIST OF SEPTEMBER 12, 2013
 - b. MAIL LIST OF SEPTEMBER 19, 2013
5. REVIEW AND DISCUSSION OF CONSENT AGENDA ITEMS FROM REGULAR MEETING
(Refer to Regular Meeting Agenda of September 25, 2013)
6. COMMITTEE REPORTS
 - A. FINANCE AND TECHNOLOGY - DOLSON (GLIDDEN/KASHWICK)
 - 1) STATUS REPORT RE CLOSTER WEBSITE
 - 2) REPORT
 - B. PUBLIC SAFETY - GLIDDEN (LATNER/BARAD)
 - 1) REPORT
 - C. PUBLIC WORKS - LATNER (DOLSON/GLIDDEN)
 - 1) REPORT
 - D. ORDINANCES - BARAD (KASHWICK/AMITAI)
 - 1) REPORT RE ORDINANCE COMMITTEE MEETINGS
 - E. HUMAN RESOURCES - KASHWICK (DOLSON/LATNER)
 - 1) REPORT RE PERSONNEL COMMITTEE MEETINGS
 - 2) REPORT
 - F. LAND USE AND CONSTRUCTION – AMITAI (BARAD/DOLSON)
 - 1) REPORT

CLOSTER MAYOR AND COUNCIL
WORK SESSION AGENDA – SEPTEMBER 25, 2013 - 7:30 P.M.

7. OLD BUSINESS
 - a. DISCUSSION WITH BOROUGH ATTORNEY RE REVISION AND RE-BIDDING OF CONTRACT FOR THE CELLULAR TOWER AND AUTHORIZING HOLD OVER STATUS FOR CURRENT LEASE
(Requested by Borough Attorney 9/17/13)
8. NEW BUSINESS
9. OPEN MEETING TO THE PUBLIC FOR ANY MATTER PER NJSA 10:4-12(A) (SUBJECT TO A 5-MINUTE LIMIT PER GENERAL RULE NUMBER 11) EXCEPT FOR ITEMS SCHEDULED FOR PUBLIC HEARING AT THE REGULAR MEETING
10. DISCUSSION OF PUBLIC COMMENTS, IF APPROPRIATE
11. ANY OTHER MATTER WHICH MAY PROPERLY COME BEFORE THE GOVERNING BODY
12. ADJOURNMENT

MAIL LIST
 SEPTEMBER 12, 2013

NO.	DATE REC'D	DATE	FROM	SUBJECT *COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	09/06/13	09/06/13	Lauren St. Helaire, Executive Assistant, Office of the County Executive, County of Bergen, to boroclerk@closterboro.com	*Invitation to attend Town Hall Meetings scheduled for the following dates: 9/18/13 from 7-9 p.m. @ Art Center of Northern NJ, 250 Center Street, New Milford; 9/25/13 from 7 p.m. -9 p.m. @Aviation Hall of Fame & Museum of NJ, 400 Fred Wehran Drive, Teterboro re the cultural planning process of the Bergen County Division of Cultural and Historic Affairs to formulate a 5-year Community Cultural Plan (Copy to Historic Preservation Commission)	Kashwick/Historic Preservation
2.	09/10/13 09/10/13	09/06/13 09/05/13	Michele DiIorgi, Clerk to the Board of Chosen Freeholders, to Borough Clerk	*a. Certified copy of the following ordinance adopted 9/3/13 (introduced 08/14/13 – See also 4b. M.L. 8/22/13) <u>No. 13-21</u> : Guaranty Ordinance Securing the Bergen County Improvement Authority’s Capital Equipment Lease Program in an Aggregate Principal Amount Not Exceeding \$15,000,000 b. Certified copies of the following ordinances introduced 09/03/13; public hearing scheduled to be held 9/17/13: 1) <u>No. 13-22</u> : Bond Ordinance Providing for Various Capital Improvements Relating to Law Enforcement, in the County of Bergen, New Jersey, Appropriating the Aggregate Amount of \$4,600,000 therefor, and Authorizing the Issuance of \$4,370,000 Bonds or Notes of the County for Financing Part of the Cost Thereof (Copy to Chief Kaine) 2) <u>No. 13-23</u> : Bond Ordinance Amending Ordinance No. 07-14 Entitled “Bond Ordinance Providing for Various Improvements for the Departments of Health and Human Services in the County of Bergen , New Jersey, Appropriating \$1,927,000 therefor, and Authorizing the Issuance of \$1,830,000 Bonds or Notes of the County for Financing Part of the Cost Thereof” 3) <u>No. 13-24</u> : An Ordinance to Amend and Update Various Portions of the Administrative Code	

3.	09/10/13	09/10/13	State of New Jersey Department of Labor and Workforce Development, Division of Workforce Grant & Program Management, to closterboroughclerk@yahoo.com	*Notice(s) of Grant Opportunity: a. FY2014 Skills4Jersey Training Grant Program – technical assistant workshop to be conducted Friday, 9/20/13 @ 10 am b. Helmets to Hardhats national program to transition National Guard, Reserve, retired and transitioning active-duty military members to career training – Grant period 11/1/13 – 10/30/14 - technical assistant workshop to be conducted Thursday, 9/17/13 @ 10 am	
4.	09/10/13	09/10/13	egg@dca.state.nj.us to closterboroughclerk@yahoo.com	*Technical Fix to CY2-13 Best Practices Worksheet informing a new Excel spreadsheet has been posted to the Division website	Administrator/CFO
5.	09/11/13	09/11/13	Lisette Aportela-Hernandez, MPA, CEM, RMC, Municipal Clerk, Borough of Tenafly to Loretta Castano	*Certified copy of Resolution #R13-327 Opposing United Water New Jersey request for approval of rate increase for water service and other changes adopted 9/10/13	
6.	09/11/13	09/11/13	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk	*League Alert re Governor Takes Action on Various Bills I. Bill signed establishing conditional dismissal program in municipal court (P.L. 2013, c. 158) II. Bill signed codifying protections in common law protections and limits of eminent domain under the “Local Redevelopment and Housing Law” (A-3615/S-2477) III. Governor conditionally vetoes bill that requires State Health Benefits Program provide claims history to employers at no cost (A-1273) IV. Governor vetoes bill that would have added the President of the Municipal Clerks’ Association as a member of the Government Records Council (A-1857/S-2433) V. Governor conditionally vetoes bill clarifying intent of Legislature to protect certain senior tenants; aligns housing age restrictions with federal law (A-2737/S-897) VI. Governor vetoes bill revising the law concerning the purchase of scrap metal (A-3222/SCS S-1773/S-2126) VII. Governor conditionally vetoes bill creating pilot program to allow certain county utilities authorities to fund certain local infrastructure	
7.	09/12/13	09/10/13	Kathleen M. Hennessy, Director of Support Services, Spectrum for Living, to Richard Sheola, Borough Administrator c: Mayor Sophie Heymann	*Request for Resolution approving endorsement of 2014 CD Project Application; Deadline: 12/6/13; request for placement of Resolution on October or early November meeting (Sample Resolution enclosed)	RM Agenda 9/25/13

8.	09/12/13	09/03/13	George King, Chief, NJDEP Unregulated Heating Oil Tank Program, to David Beardsley c: Municipal Clerk	*Letter re: Area of Concern: One-330 gallon #2 Heating Oil Underground Storage Tank System, Unrestricted Use – No Further Action Letter and Covenant Not to Sue, Block 2301, Lot 23, 37 Wainwright Avenue, Program Interest #614723, Activity Number: CSP130001, Communications Center Number: 11-04-20-1230-31 (Copy to Board of Health, Construction Official, Environmental Commission)	Dolson/Health Kashwick/ Environmental
9.	09/12/13	09/10/13	Michele Popkin, Executive Assistant, Bergen County Community Development, to Mayor Heymann	*Follow-up letter re 2013-2014 CDBG Grant for Handicapped Accessible Doors Borough Hall Project (Contract #NV-CLSTR-03-13, Term of Contract 7/1/13 – 6/30/14, Amount \$10,000) letter only! (Complete original to Mayor 9/12/13)	Mayor/Grants

MAIL LIST
 SEPTEMBER 19, 2013

NO.	DATE REC'D	DATE	FROM	SUBJECT	*COPY ATTACHED	AGENDA/ COMMITTEE/ LIAISON
1.	09/12/13	09/09/13	Christine Demiris, Borough Clerk, Borough of New Milford, to Borough of Closter	*Certified copy of Resolution #R2013:242 Opposing United Water New Jersey request for approval of rate increase for water service and other changes adopted 9/9/13		
2.	09/12/13 09/17/13 09/19/13	09/12/13 09/17/13 09/19/13	William G. Dressel, Jr., Executive Director, NJS League of Municipalities, to Borough Clerk	*League Alert(s) re: a. Mayors Advisory Updated re: Important Conference Sessions Sustainability b. I. Community Blood Drive: 10/1/13, 11 a.m. to 3:45 p.m., MetLife Stadium, East Rutherford, NJ II. League Professional Development Program "Taking the Mystery Out Of Applying For Grants" (10/2/13) c. Washington Watch Fax Advisory re IRS Issues Rule Proposal on Reporting by Employers under the Affordable Care Act (ACA) d. I. "Charting a Course for Community Resilience" Conference 10/15-10/17 II. Governor Signs Economic Opportunity Act of 2013 (A-3680/S-2583)		
3.	09/13/13	09/13/13	Cindy W. Randazzo, Director, Office of Local Government Assistance, NJDEP, to Municipal Clerk	*NJDEP PRESS RELEASE dated 9/12/13 re Christie Administration Announces Post-Superstorm Sandy Flood Mitigation Studies by New Jersey Universities		
4.	09/17/13	09/12/13	R. Thurman Barnes, Area Director Government & Public Affairs, Cablevision, to New Jersey Municipalities	*Notice re programming changes: Effective 9/23/13 <i>Style</i> will be rebranded <i>Esquire Network</i> Effective 10/22/13 <i>Esquire Network</i> will move from Channel 176 to Channel 64		Barad/Cable TV Advisory
5.	09/17/13	09/16/13	R. Thurman Barnes, Area Director Government & Public Affairs, Cablevision, to New Jersey Municipalities	*Notice re Unreturned Equipment Fee Reduction and revised tariffs effective 10/1/13		Barad/Cable TV Advisory

ALSO DISTRIBUTED:

Unapproved Minutes of Regular Meeting held September 11, 2013

Unapproved Minutes of Work Session held September 11, 2013